

**Special Planning/Zoning, Land Design & Development Meeting**  
**Tuesday, February 23, 2010**  
**2:05 P.M.**  
**Third Floor, City Hall**

**Present:** Chair: CM Jon Ackerson  
Vice Chair: CM Johnson (2:17 p.m.)  
Members: CM Flood, CM Stuckel, and CM Shanklin (2:42 p.m.)

**Absent:** CM Downard (Excused) and Brent Ackerson (Excused)

Chairman Jon Ackerson, began the meeting by introducing the members and non-members of the committee that were present.

O-38-02-10 AN ORDINANCE CLOSING AN UNIMPROVED UNNAMED 17-FOOT WIDE ALLEY LOCATED BETWEEN SOUTH PRESTON STREET AND SOUTH JACKSON STREET, BEGINNING AT ITS EASTERN INTERSECTION WITH EAST ST. CATHERINE STREET, AND CONTINUING EASTERLY FOR APPROXIMATELY 115 FEET, CONTAINING 1885.7 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 13000). (July 21, 2010)

**Status:** In-Committee  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Jon Ackerson

There was a motion and second on this item.

**Discussion:** Dawn Warrick, DPDS, spoke to the item. This was on the Planning Commission Consent Agenda on January 21, 2010. No one spoke in opposition. The Commission approved the request and made recommendation for approval by the Metro Council. This is in CM Tandy's District. The following were items of discussion and concern:

- Currently not used for vehicular traffic
- Encompassed within the Campus of the St. Vincent DePaul Society
- Assist in the implementation of a project
- Property owner on all sides belongs to St. Vincent DePaul Society and therefore 100% of the property owners is in agreement

Due to the lack of a quorum, action was postponed on this item until a quorum was present.

Motion to revisit this item after a quorum was reached made by Madonna Flood and seconded by Glen Stuckel. The motion passed.

After a brief review, this item was sent to the **Consent Calendar**.

VOTING RESULTS: For: 5; Against: 0; Abstain: 0; Absent: 2

For: Barbara Shanklin, Glen Stuckel, Jon Ackerson, Dan Johnson, Madonna Flood  
Against: (None)  
Abstain: (None)  
Absent: Kelly Downard, Brent Ackerson

O-36-02-10 AN ORDINANCE APPROVING A PARKING WAIVER TO REDUCE THE REQUIRED NUMBER OF PARKING SPACES FROM 28 TO 13, REPRESENTING AT 53.5% WAIVER, FOR PROPERTY LOCATED AT 900 E. MARKET STREET AND BEING IN LOUISVILLE METRO (CASE NO. 13416). (July 21, 2010)

**Status:** In-Committee  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Jon Ackerson

There was a motion and second on this item.

**Discussion:** Dawn Warrick, DPDS, spoke to the item. The Planning Commission hearing was held on January 21, 2010. No one spoke in opposition. The Commission approved the request and made recommendation for approval by the Metro Council. This is in CM Tandy's District. The following were items of discussion and concern:

- Must come before the Metro Council, parking waivers in excess of 50% of the required number of spaces require legislative action for the Traditional Marketplace Form District
- For the existing structure to be renovated and updated, added on to, to provide for a restaurant, retail, and office use also allowing for outdoor dining on a roof facility
- Parking survey on surrounding area of the site
- EZ-1 Zoning District
- Reviewed against several applicable plans and policies

Due to the lack of a quorum, this item was sent to Old Business.

Motion to revisit this item after a quorum was reached made by Dan Johnson and seconded by Barbara Shanklin. The motion passed.

After a brief review, this item was sent to the **Consent Calendar**.

VOTING RESULTS: For: 5; Against: 0; Abstain: 0; Absent: 2

For: Barbara Shanklin, Glen Stuckel, Jon Ackerson, Dan Johnson, Madonna Flood

Against: (None)

Abstain: (None)

Absent: Kelly Downard, Brent Ackerson

[O-39-02-10 AN ORDINANCE ADOPTING THE FLOYDS FORK GREENWAY MASTER PLAN \(CASE NO. 13625\). \(July 21, 2010\)](#)

**Status:** In-Committee  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Jon Ackerson  
**Additional Sponsor:**

Stuart Benson  
Hal Heiner  
Glen Stuckel  
Dan Johnson  
Madonna Flood

There was a motion and second on this item.

**Discussion:** Ken Baker, DPDS spoke to the item giving a brief background. The following was discussed:

- Managed by 21<sup>st</sup> Century Parks, a Non Profit Organization, in partnership with Future Fund and Metro Government
- 3,200 acres of new park land was acquired along Floyds Fork
- Wallace Roberts and Todd were engaged to produce the Greenway Master Plan
- The Greenway Master Plan proposes 2 large parks, a multi use greenway trail system and park drive that connects the two parks
  - North Park – Most active recreational uses
  - South Park – passive uses

CM Benson spoke relating to boundary roads for the parks and his support of this item. CM Heiner spoke in support of this item.

The following requested to be added as Co-Sponsors: Stuart Benson, Hal Heiner, Glen Stuckel, Dan Johnson, and Madonna Flood

This item was sent to the **Consent Calendar**.

VOTING RESULTS: For: 4; Against: 0; Abstain: 0; Absent: 3

For: Glen Stuckel, Jon Ackerson, Dan Johnson, Madonna Flood

Against: (None)

Abstain: (None)

Absent: Barbara Shanklin, Kelly Downard, Brent Ackerson

[O-37-02-10 AN ORDINANCE AMENDING THE CORNERSTONE 2020 COMPREHENSIVE PLAN TO INCORPORATE THE EXECUTIVE SUMMARY OF THE FLOYDS FORK GREENWAY MASTER PLAN \(CASE NO. 13690\). \(July 21, 2010\)](#)

**Status:** In-Committee  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Jon Ackerson  
**Additional Sponsor:**  
Stuart Benson  
Hal Heiner  
Glen Stuckel  
Dan Johnson  
Madonna Flood

There was a motion and second on this item.

**Discussion:** Ken Baker, DPDS spoke to the item. The following was discussed:

- Executive Summary is to be Amended to Cornerstone 2020
  - Vision Statement for the Floyds Fork Greenway Master Plan
  - Recommendation of the Plan specific related to Cornerstone 2020 and the Land Development Code
- Three overall goals for area development
  - Standards for Park Boundary Roads
  - Linkages from adjacent neighborhoods to park land
  - Standards and policies for design of major land use changes and development near the parks
- Updating and adopting Amendments to Cornerstone 2020 Core Graphic 7 – Greenways, parks and open space
- Updated and adopting Amendment to Cornerstone 2020 – Core Graphic 10 - Roadway classifications and projected corridors as well as adopting design standards to guide future private development in areas surrounding future parks

The following requested to be added as Co-Sponsors: Stuart Benson, Hal Heiner, Glen Stuckel, Dan Johnson, and Madonna Flood

This item was sent to the **Consent Calendar**.

VOTING RESULTS: For: 4; Against: 0; Abstain: 0; Absent: 3

For: Glen Stuckel, Jon Ackerson, Dan Johnson, Madonna Flood

Against: (None)

Abstain: (None)

Absent: Barbara Shanklin, Kelly Downard, Brent Ackerson

[O-26-01-10 AN ORDINANCE AMENDING SECTION 2.7.4 OF THE LAND DEVELOPMENT CODE PERTAINING TO THE TRADITIONAL NEIGHBORHOOD ZONING DISTRICT, AND UPDATING THE OLD LOUISVILLE TNZD PLAN REPORT \(CASE NO. 13390\). \(June 17, 2010\)](#)

**Status:** In Committee - Held

**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Jon Ackerson

There was a motion and second on this item.

**Discussion:** Chris French, DPDS, spoke to this item. The following was discussed:

- Amendments to Chapter 2 Part 7 section 4 as well as the associated Old Louisville Limerick Plan Report to add a new area to the TNZD
- Currently TNZD has to have 2 components
  - Neighborhood General
  - Neighborhood Central
- TNZD also an option to do the Neighborhood Transition Center
- This Creates a 4th area option that is an Edge Transition area
  - Creates for Old Louisville Limerick TNZD, an Edge Transition area to the Campus Form District that is adjacent to the University of Louisville
  - Creates design standards that are a part of the plan report that is associated with the Ordinance amendment
  - Allows for the redevelopment of the current Masterson site into mixed uses

This item was sent to the **Consent Calendar**.

VOTING RESULTS: For: 4; Against: 0; Abstain: 0; Absent: 3

For: Glen Stuckel, Jon Ackerson, Dan Johnson, Madonna Flood

Against: (None)

Abstain: (None)

Absent: Barbara Shanklin, Kelly Downard, Brent Ackerson

[O-23-01-10 AN ORDINANCE AMENDING CHAPTER 10 OF THE LAND DEVELOPMENT CODE PERTAINING TO TREE CANOPY, TREE PROTECTION AND ENFORCEMENT \(CASE NO. 12266\). \(June 17, 2010\)](#)

**Status:** In-Committee - Held  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Jon Ackerson  
**Additional Sponsor:** Robin Engel

There was a motion and second on this item.

**Discussion:** Dawn Warrick, DPDS spoke to this item giving a brief history of the ordinance. A handout was also given to the Committee Members (**Attached**). The following was discussed:

- Giving better credit to tree and canopy calculations where an applicant is required to evaluate what they are designating to be preserved
- Trying to use information at the front end of the proposal
- Will know more about size and species of trees in making accommodations for replacement
- Better measurements for enforcement
- Means of better protecting trees on sight that are designated on a plan for protection
  - Signage
  - Fencing
  - Site inspections
- Protection during construction
- Trees within stream and buffer areas
- Incentivize tree canopy preservation by allowing different trees to be included that previously were not allowed
- Inventory process
- Different tree canopy requirements for different sight classifications
- Tree cutting on private property that is not being developed

This item was sent to the **Consent Calendar**.

VOTING RESULTS: For: 5; Against: 0; Abstain: 0; Absent: 2

For: Barbara Shanklin, Glen Stuckel, Jon Ackerson, Dan Johnson, Madonna Flood

Against: (None)

Abstain: (None)

Absent: Kelly Downard, Brent Ackerson

[O-33-02-10 AN ORDINANCE RELATING TO USE OF PORTABLE STORAGE UNITS AND DUMPSTERS. \(August 11, 2010\)](#)

**Status:** In-Committee  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Brent Ackerson

There was a motion and second on this item.

**Discussion:** Theresa Senninger, Assistant County Attorney, gave a brief update stating that the Sponsor of this item intends to amend by substitution what is currently in Committee and present it to the Committee in the next couple of weeks.

Hal Heiner spoke regarding limiting the scope of the ordinance and he also offered his help.

Motion to Table made by Glen Stuckel and seconded by Dan Johnson.

By voice vote, this item was **Tabled**.

[O-8-01-10 AN ORDINANCE AMENDING CHAPTERS 1, 2, 4 AND 8 OF THE LAND DEVELOPMENT CODE PERTAINING TO SIGNS \(CASE NO. 8503\). \(May19, 2010\)](#)

**Status:** In Committee - Tabled  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Tom Owen

**Discussion:** This item Remained **Tabled**.

[O-176-10-09 AN ORDINANCE AMENDING THE PROVISIONS OF CHAPTER 153 OF LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES \(LMCO\) RELATING TO THE TIME AND LOCATION OF PLANNING COMMISSION AND BOARD OF ZONING ADJUSTMENT HEARINGS. \(April 8, 2009\)](#)

**Status:** In Committee - Tabled  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** James Peden

**Discussion:** This item Remained **Tabled**.

[R-192-09-09 A RESOLUTION REQUESTING THE LOUISVILLE METRO PLANNING COMMISSION TO HOLD A PUBLIC HEARING AND MAKE A RECOMMENDATION ON A PROPOSED AMENDMENT TO SECTION 2.4.3.D.2 OF THE LAND DEVELOPMENT CODE REGARDING PERMITTED DENSITY OF RESIDENTIAL DEVELOPMENT IN THE C-1, COMMERCIAL ZONING DISTRICT. \(March 22, 2010\)](#)

**Status:** In Committee - Tabled  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** James Peden  
Rick Blackwell

**Discussion:** This item Remained **Tabled**.

[O-28-01-10 AN ORDINANCE CHANGING THE ZONING FROM R-6, MULTI-FAMILY RESIDENTIAL TO C-1, COMMERCIAL ON PROPERTY LOCATED AT 3145-R, 3147, 3151, 3153 AND 3155 SOUTH 3RD STREET, CONTAINING 0.66 ACRES, AND BEING IN LOUISVILLE METRO \(CASE NO. 12897\). \(April 7, 2010\)](#)

**Status:** In Committee - Tabled  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Jon Ackerson

**Discussion:** This item Remained **Tabled**.

[O-231-12-09 AN ORDINANCE CHANGING THE NAME OF DEER TRACE LANE, BETWEEN 11700 GLENMARY VILLAGE BOULEVARD AND 11600 LARKINFORD WAY, TO BUCK RIDGE LANE, SAID STREET BEING IN LOUISVILLE METRO \(CASE NO. 13350\).](#)

**Status:** In-Committee Held - Pending Public Hearing to be Held on January 21, 2010  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Tom Owen

**Discussion:** This item remained **Held in Committee**.

Chairman Jon Ackerson stated that there would be a Special Planning/Zoning, Land Design and Development Committee Meeting on Wednesday March 24, 2010. This will be at 2:00 p.m.

Motion to Adjourn made by Glen Stuckel and seconded by Dan Johnson. Without objection, the meeting adjourned at 2:55 P.M.

**\*NOTE: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council Meeting on February 25, 2010.**

**KQG**